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UNCLAS ZAGREB 000078

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SENSITIVE

DEPARTMENT FOR EUR/SCE

E.O. 12958: N/A

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SUBJECT: PRESIDENTIAL ELECTION: ALLEGED FRAUD IN CROATIAN DIASPORA VOTE UNLIKELY TO CHANGE RESULTS

REF: SARAJEVO 89

SUMMARY AND COMMENT

¶11. (SBU) The respected Croatian NGO GONG has alleged that a number of votes recorded at polling stations in Bosnia and Herzegovina (BiH) during the first round of the Croatian presidential elections were fraudulent. These allegations apply only to so-called diaspora voting in BiH and not/not in other diaspora voting nor in voting within Croatia. Although not enough votes were cast outside of Croatia to affect the final results, the indications of fraud have renewed calls for electoral reform. It is unlikely that the Sanader government will seek to change the long-standing policy of diaspora voting for the parliament or President, as the diaspora vote was critical to the current, slim HDZ majority in the Sabor. Regardless of this scandal, President Mesic is still the overwhelming favorite to win reelection in Sunday's runoff round. END SUMMARY and COMMENT.

Fraud Charges

¶12. (U) In a widely publicized press conference February 13, the respected Croatian NGO GONG announced that it had uncovered evidence of irregularities in voting by ethnic Croats in Bosnia and Herzegovina (BiH). Although GONG did not try to estimate the aggregate level of fraud in BiH, it did find that a large number of voters were registered on the day of elections at the polling place) as many as 29.8% in one Mostar polling station. GONG also contacted a random sample of 10 persons shown as having voted: four were dead, five said they had not voted, and just one said he had voted.

Finally, GONG found that several members of individual district voting commissions were HDZ party members in violation of regulations. GONG has filed criminal charges and asked the State Prosecutor's Office to investigate.

¶13. (SBU) Following this press conference, GONG Deputy Director Vanja Skoric told us that they have received ten new individual complaints of fraudulent votes in BiH. GONG told us that similar fraud was theoretically possible within Croatia, but they had not received a single call or allegation of such fraud in Croatian voting. Chief State Prosecutor Mladen Bajic confirmed that he had launched an investigation based on GONG's information, but noted that he had no indication that the fraud was widespread and had not received any complaints of voting irregularities in Croatia or BiH other than those from GONG.

Responses

¶14. (SBU) The State Election Commission Chairman (and Supreme Court Chief Justice) Ivica Crnic told us that so far, the Commission's investigations of complaints had not/not indicated any malfeasance by election workers. He said that although no fraud was alleged by district voting commissions containing HDZ members, the Commission had replaced all members who had not properly declared their party membership.

Crnic also said that the Commission would also send representatives to BiH to monitor voting procedures. GONG, which had only two observers in all BiH for the first round, told us they will send four mobile teams to observe eighteen polling stations for the second round vote.

Minimal Impact

¶15. (SBU) The State Election Commission, GONG, and the State Prosecutor all told us that the reported irregularities, if proved true, could only have had minimal impact on the elections. Our calculations indicate that President Mesic would have won the election in the first round only if more than 28,000 of the 77,000 diaspora vote (or over half the 56,000 in BiH) were fraudulently recorded for candidates other than President Mesic. Further, even if all 46,000 diaspora votes for HDZ candidate Jadranka Kosor were discarded, she still would have come in second. However, if

only domestic Croatia votes were counted, President Mesic would have won in the first round with 14,000 votes over the 50 percent threshold.

Reform Possible?

16. (SBU) This scandal has brought renewed calls for electoral reform. Sabor Speaker and HDZ leader Vladimir Seks told the press that the time had come to change election laws,

particularly in rules governing voter registration. The NGO Juris Protecta calculates that Croatia has just over four million registered voters (inside Croatia, 4.4 million total adding diaspora registered voters) but a voting age population of closer to 3.5 million. Voter registries are purged of duplicates at the county level but not at the national level and there is no systematic purging of deceased persons. Judge Crnic told us he had sent a letter to Prime Minister Sanader and Speaker Seks last year warning of deficiencies in the election system and urging the development of a detailed, uniform voting process for presidential, parliamentary, and local elections. Crnic has long advocated the creation of a professional election commission that would take over from the judiciary running elections.

Comment: Mesic Likely Winner

17. (SBU) Polling in advance of Sunday's runoff shows President Mesic with a comfortable 58-61 percent rating, with Jadranka Kosor trailing far behind with 22-26 percent. Although historically HDZ voters tend to hide their intentions from pollsters, Mesic's lead appears insurmountable. Voter anger over this scandal, and the presumption that at least the BiH wing of the HDZ was complicit, will likely fuel a pro-Mesic turnout on Sunday.
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